

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

**VONAGE HOLDINGS, CORP., and
VONAGE NETWORK, INC.,**

Plaintiffs,

v.

**NEBRASKA PUBLIC SERVICE
COMMISSION, and ROD JOHNSON,
FRANK E. LANDIS, JR., ANNE C.
BOYLE, TIM SCHRAM, GERALD L.
VAP, each and all in their official
capacities as Commissioners of the
Nebraska Public Service
Commission, and JEFFREY L.
PURSLEY, in his official capacity as
Director of the Nebraska
Telecommunications Infrastructure
and Public Safety Department of the
Nebraska Public Service
Commission,**

Defendants.

CASE NO. 4:07CV3277

ORDER

This matter is before the Court on Defendants' Motion to Stay Case Pending Appeal (Filing No. 103). Having reviewed the parties' arguments set out in their briefs (Filing Nos. 104 and 108), I conclude that Defendants' Motion to Stay should be granted. Accordingly,

IT IS ORDERED:

1. Plaintiffs' Motion for Summary Judgment (Filing No. 99) is denied without prejudice to its refiling after the resolution of the appeal pending before the United States Court of Appeals for the Eighth Circuit;
2. The Motion to Stay Case Pending Appeal (Filing No. 103) is granted; and
3. All activity in this case (including compliance with all deadlines in the progression orders, responses to discovery and pending motions, and attendance at pretrial or other scheduled conferences) and all other actions

otherwise scheduled is stayed until ten (10) days after the United States Court of Appeals for the Eighth Circuit issues a decision or otherwise disposes of the pending appeal.

DATED this 9th day of May, 2008.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge